

Amendment and Response under 37 C.F.R. 1.116

Applicant: Melissa D. Boyd et al.

Serial No.: 10/723,891

Filed: November 26, 2003

Docket No.: 10970792-4

Title: PLATFORM INCLUDING FLUID MANIFOLD FOR MULTIPLE FLUID EJECTION DEVICES**REMARKS**

The following Remarks are made in response to the Final Office Action mailed January 11, 2006, in which claims 20-22, 26-31, and 35-37 were allowed, claims 38, 42, 43, and 45 were rejected, and claim 41 was objected to.

With this Amendment, claims 38 and 43 have been amended to clarify Applicant's invention. Applicant believes the amended claims are patentable over the art of record, and that the amendments made herein do not raise new issues that would require further consideration and/or search and are within the scope of a search properly conducted under the provisions of MPEP 904.03.

Claims 20-22, 26-31, 35-38, 41-43, and 45, therefore, remain pending in the application and are presented for reconsideration and allowance.

Claim Rejections under 35 U.S.C. § 102

Claims 38, 42, 43, and 45 are rejected under 35 U.S.C. 102(b) as being anticipated by Cowger et al. U.S. Patent No. 5,565,900.

With this Amendment, independent claim 38 has been amended to clarify that fluidically coupling each of the first plurality of fluid feed slots and the second plurality of fluid feed slots with the fluid inlet and the fluid outlet includes, amongst other things, defining a first plurality of fluid flow paths each communicating with the first fluid flow path and one of the first plurality of fluid feed slots, defining a second plurality of fluid flow paths each communicating with one of the second plurality of fluid feed slots and the second fluid flow path, and defining a third plurality of fluid flow paths each communicating with one of the first plurality of fluid feed slots and one of the second plurality of fluid feed slots.

With this Amendment, independent claim 43 has been amended to clarify that distributing, supplying, and returning the fluid includes, amongst other things, distributing the fluid from the fluid inlet to each of the first plurality of fluid feed slots via a first fluid flow path from the fluid inlet and a first plurality of fluid flow paths each communicating with the first fluid flow path and one of the first plurality of fluid feed slots, and from each of the second plurality of fluid feed slots to the fluid outlet via a second fluid flow path to the fluid outlet and a second plurality of fluid flow paths each communicating with one of the second plurality of fluid feed slots and the second fluid flow path.

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With respect to the Cowger et al. patent, Applicant submits that this patent does not teach or suggest a method of forming a fluid ejection assembly as claimed in independent claim 38 including a first plurality of fluid flow paths each communicating with a first fluid flow path and one of a first plurality of fluid feed slots, a second plurality of fluid flow paths each communicating with one of a second plurality of fluid feed slots and a second fluid flow path, and a third plurality of fluid flow paths each communicating with one of the first plurality of fluid feed slots and one of the second plurality of fluid feed slots, nor a method of circulating fluid as claimed in independent claim 43 including distributing the fluid from a fluid inlet to each of a first plurality of fluid feed slots via a first fluid flow path from the fluid inlet and a first plurality of fluid flow paths each communicating with the first fluid flow path and one of the first plurality of fluid feed slots, and from each of a second plurality of fluid feed slots to a fluid outlet via a second fluid flow path to the fluid outlet and a second plurality of fluid flow paths each communicating with one of the second plurality of fluid feed slots and the second fluid flow path.

In view of the above, Applicant submits that independent claims 38 and 43 are each patentably distinct from the Cowger et al. patent and, therefore, are each in a condition for allowance. Furthermore, as dependent claims 41 and 42 further define patentably distinct claim 38, and dependent claim 45 further defines patentably distinct claim 43, Applicant submits that these dependent claims are also in a condition for allowance. Applicant, therefore, respectfully requests that the rejection of claims 38, 42, 43, and 45 under 35 U.S.C. 102(b) be reconsidered and withdrawn and that claims 38, 41, 42, 43, and 45 be allowed.

Allowable Subject Matter

Claims 20-22, 26-31, and 35-37 are allowed. Applicant appreciates the indicated allowance of these claims.

Claim 41 is objected to as being dependent upon a rejected base claim and has been indicated as being allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims.

Applicant agrees with the Examiner's conclusions regarding patentability without necessarily agreeing with or acquiescing in the Examiner's reasoning. In particular,

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Applicant submits that the above-identified claims are allowable because the prior art fails to teach, anticipate or render obvious the invention as claimed, independent of how the invention is paraphrased.

Applicant appreciates the indicated allowability of claim 41. As outlined above, Applicant, however, has amended independent claim 38 (from which claim 41 depends) to clarify that fluidically coupling each of the first plurality of fluid feed slots and the second plurality of fluid feed slots with the fluid inlet and the fluid outlet includes, amongst other things, defining a first plurality of fluid flow paths each communicating with the first fluid flow path and one of the first plurality of fluid feed slots, defining a second plurality of fluid flow paths each communicating with one of the second plurality of fluid feed slots and the second fluid flow path, and defining a third plurality of fluid flow paths each communicating with one of the first plurality of fluid feed slots and one of the second plurality of fluid feed slots. As amended independent claim 38 is believed to be in allowable form, Applicant respectfully submits that claim 41 is allowable in dependent form. Applicant, therefore, respectfully requests that the objection to claim 41 be withdrawn and that claim 41 be allowed.

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In view of the above, Applicant respectfully submits that pending claims 20-22, 26-31, 35-38, 41-43, and 45 are all in a condition for allowance and requests reconsideration of the application and allowance of all pending claims.

Any inquiry regarding this Amendment and Response should be directed to either James R. McDaniel at Telephone No. (858) 655-4157, Facsimile No. (858) 655-5859 or Scott A. Lund at Telephone No. (612) 573-2006, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

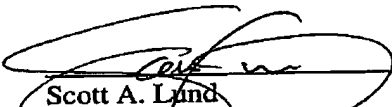
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Respectfully submitted,

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CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this paper or papers, as described herein, are being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300 on this 30th day of January, 2006.


By
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